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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

In the Matter of)

Reexamination of the Comparative Standards)
for Noncommercial Educational Applicants)

MM Docket No. 95-31

To: The Commission

COMMENTS

Western Baptist College ("WBC"), an applicant for a new noncommercial educational ("NCE") station at Salem, Oregon, offers the following comments regarding the Further Notice of Proposed Rule Making ("Further Notice"), FCC 98-269, released in this proceeding on October 21, 1998.

The Commission requests in the Further Notice comment on its proposed point system to determine the winner among mutually exclusive NCE applications. WBC supports the idea of a point system generally and the adoption of point categories that reward applicants who focus specifically on the local areas they propose to serve.

WBC supports awarding points for local diversity because it furthers the Commission's goal of viewpoint diversity. The number of voices in local radio markets has significantly decreased with the consolidation of the radio industry as a whole. It is important for the

Commission to maximize the viewpoints available to a community. The Commission has proposed awarding two points under this category. WBC urges that, given the importance of local diversity, even more points be awarded. Furthermore, the Commission should take into consideration an applicant's nearby stations, even if there is no city-grade contour, but not its city-grade contour overlap with the proposed station. WBC suggests that if an applicant's proposed primary service contour does not overlap the primary service contour of a commonly controlled station, the applicant be awarded five points. If the applicant's proposed primary service contour, but not its city-grade contour, overlaps the primary service contour of a commonly owned station, two points would be awarded. But if the applicant's proposed city-grade contour overlaps the primary service contour of a commonly controlled station, no points would be awarded under this category. For purposes of this category, an applicant's commonly owned translator stations as well as its full-power stations should be taken into consideration.

WBC cannot emphasize strongly enough that small, locally-oriented NCE applicants need the support of the Commission because they are being squeezed out of opportunities to provide radio services. National organizations seeking to establish large chains of commonly controlled stations, in many instances, have foreclosed local NCE applicants from securing construction permits.

As such, WBC suggests adding another point category for national diversity. Those applicants controlling no other broadcast interests anywhere in the United States would be awarded two points. Those applicants controlling one to three other broadcast interests would receive one point. Those with more than three would receive no points. This would also advance the Commission's diversity goal on a national level.

Of the other potential categories the Commission suggested, WBC strongly encourages the adoption of the Local Educational Presence Credit. The goals of an NCE licensee should be education and community service. As such, the proposed use of the station to educate members of the community should be a factor in selecting the winner. WBC suggests at least two points be awarded under this category.

On a more personal level, WBC wishes to illustrate the importance of the principles behind these point categories with a brief discussion of its own experience with the FCC's NCE application process.

On March 24, 1998, WBC filed its application for a new NCE station to operate on 90.3 mHz at Salem, Oregon, the community in which WBC is located (BPED-980324MA). WBC proposes to operate with modest facilities -- 135 watts (vertical only) with a radiation center 14 meters above average terrain. WBC's application was placed on a cut-off list released July 24,

1998 (Report No. A-333). By the cut-off date, three applications mutually exclusive with WBC's were filed.

CSN International ("CSN") and Broadcasting for the Challenged, Inc. ("Challenged") both applied for use of 90.3 mHz at Salem, Oregon (respectively, BPED-980826ML and BPED-980824MB). Educational Media Foundation ("EMF") proposes using 90.3 mHz at Welches, Oregon (BPED-980826ME). EMF's application is, nonetheless, mutually exclusive with WBC's. Of these four applicants, WBC is the lone local applicant.¹

CSN is headquartered in Santa Ana, California. None of the members of its board reside in Oregon. As of the filing of its Salem application, CSN was the licensee of seven radio stations and had applications pending for 27 other radio stations.

Challenged is headquartered in Memphis, Tennessee. All of its board members reside in that community. As of the filing of the Salem application, Challenged had pending before the Commission applications for eight new NCE television stations and 61 new NCE radio stations. Challenged's president, George S. Flinn, Jr., was listed as owning numerous commercial stations -- nine radio stations, two television stations and three low power television stations. Dr. Flinn

¹ An application filed by KBBS Public Radio Foundation for a new NCE station at Hood River, Oregon, appears not to be mutually exclusive with WBC's application. The Hood River application, however, is mutually exclusive with EMF's application for Welches, Oregon, and thus, is part of a daisy chain of five conflicting applications, including WBC's.

also holds a 50% interest in another television station and another FM station. Furthermore, as of the filing of Challenged's Salem application, Dr. Flinn, inter alia, had pending before the Commission applications for 36 new commercial radio stations and six commercial television stations.

EMF is headquartered in Sacramento, California. Only one of the five members of its governing board resides in Oregon. As of January 8, 1999, EMF held licenses or construction permits for 18 FM stations and 90 FM translators. EMF also had pending applications for 36 FM stations and 58 FM translators. EMF's Welches application includes a request for waiver of the rules to use the main studio of co-owned Station KLVR, Santa Rosa, California, as the main studio of the Welches facility. The KLVR studio is located approximately 745.4 kilometers outside of the primary service contour of the proposed Welches station.

It appears WBC's competitors seek merely to expand their national networks of stations. WBC, in contrast, seeks to operate only one NCE station. WBC's station will be a locally operated and locally oriented. Additionally, the station will provide WBC students invaluable hands-on radio experience, thus enhancing their study of communications at the college. WBC's programming will not originate primarily from a studio in some distant city. WBC will provide a local emphasis that a station wedded to a satellite signal cannot possibly provide. The benefits

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to the local community will be many, including greater responsiveness and sensitivity to local needs and interests.

With implementation of a point system that puts emphasis on localism generally and local diversity specifically, WBC and similarly situated applicants have a greater chance of being awarded construction permits and serving their local communities.

WESTERN BAPTIST COLLEGE

By Michael Allegre

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January 28, 1999

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CERTIFICATE OF SERVICE

I, Pamela R. McKethan, hereby certify that on this 28th day of January, 1999, copies of the foregoing **COMMENTS** were mailed, first-class, postage prepaid, to the following:

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